

1-1 By: Hancock S.B. No. 679
 1-2 (In the Senate - Filed January 31, 2017; February 15, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 March 15, 2017, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; March 15, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the authority of chiropractorsto form certain business
 1-20 entities with certain other professions.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 22.056, Business Organizations Code, is
 1-23 amended to read as follows:

1-24 Sec. 22.056. HEALTH ORGANIZATION CORPORATION.

1-25 (a) Doctors of medicine and osteopathy licensed by the Texas
 1-26 [~~State Board of~~] Medical Board, [~~Examiners and~~] podiatrists
 1-27 licensed by the Texas State Board of Podiatric Medical Examiners,
 1-28 and chiropractors licensed by the Texas Board of Chiropractic
 1-29 Examiners may form a corporation that is jointly owned, managed,
 1-30 and controlled by those practitioners to perform a professional
 1-31 service that falls within the scope of practice of those
 1-32 practitioners and consists of:

1-33 (1) carrying out research in the public interest in
 1-34 medical science, medical economics, public health, sociology, or a
 1-35 related field;

1-36 (2) supporting medical education in medical schools
 1-37 through grants or scholarships;

1-38 (3) developing the capabilities of individuals or
 1-39 institutions studying, teaching, or practicing medicine, including
 1-40 podiatric medicine, or chiropractic;

1-41 (4) delivering health care to the public; or

1-42 (5) instructing the public regarding medical science,
 1-43 public health, hygiene, or a related matter.

1-44 (b) When doctors of medicine, osteopathy, [~~and~~] podiatry,
 1-45 and chiropractic form a corporation that is jointly owned by those
 1-46 practitioners, the authority of each of the practitioners is
 1-47 limited by the scope of practice of the respective practitioners
 1-48 and none can exercise control over the other's clinical authority
 1-49 granted by their respective licenses, either through agreements,
 1-50 the certificate of formation or bylaws of the corporation,
 1-51 directives, financial incentives, or other arrangements that would
 1-52 assert control over treatment decisions made by the practitioner.
 1-53 The Texas [~~State Board of~~] Medical Board, [~~Examiners and~~] the Texas
 1-54 State Board of Podiatric Medical Examiners, and the Texas Board of
 1-55 Chiropractic Examiners continue to exercise regulatory authority
 1-56 over their respective licenses.

1-57 SECTION 2. Section 152.055, Business Organizations Code, is
 1-58 amended to read as follows:

1-59 Sec. 152.055. AUTHORITY OF CERTAIN PROFESSIONALS TO CREATE
 1-60 PARTNERSHIP. (a) Persons licensed as doctors of medicine and
 1-61 persons licensed as doctors of osteopathy by the Texas [~~State Board~~

2-1 ~~of] Medical Board, [Examiners and]~~ persons licensed as podiatrists
2-2 by the Texas State Board of Podiatric Medical Examiners, and
2-3 persons licensed as chiropractors by the Texas Board of
2-4 Chiropractic Examiners may create a partnership that is jointly
2-5 owned by those practitioners to perform a professional service that
2-6 falls within the scope of practice of those practitioners.

2-7 (b) When doctors of medicine, osteopathy, ~~[and]~~ podiatry,
2-8 and chiropractic create a partnership that is jointly owned by
2-9 those practitioners, the authority of each of the practitioners is
2-10 limited by the scope of practice of the respective practitioners
2-11 and none can exercise control over the other's clinical authority
2-12 granted by their respective licenses, either through agreements,
2-13 bylaws, directives, financial incentives, or other arrangements
2-14 that would assert control over treatment decisions made by the
2-15 practitioner.

2-16 (c) The Texas ~~[State Board of]~~ Medical Board, [Examiners
2-17 and] the Texas State Board of Podiatric Medical Examiners, and the
2-18 Texas Board of Chiropractic Examiners continue to exercise
2-19 regulatory authority over their respective licenses.

2-20 SECTION 3. Sections 301.012(a) and (f), Business
2-21 Organizations Code, are amended to read as follows:

2-22 (a) Persons licensed as doctors of medicine and persons
2-23 licensed as doctors of osteopathy by the Texas ~~[State Board of]~~
2-24 Medical Board, [Examiners and] persons licensed as podiatrists by
2-25 the Texas State Board of Podiatric Medical Examiners, and persons
2-26 licensed as chiropractors by the Texas Board of Chiropractic
2-27 Examiners may jointly form and own a professional association or a
2-28 professional limited liability company to perform professional
2-29 services that fall within the scope of practice of those
2-30 practitioners.

2-31 (f) When doctors of medicine, osteopathy, ~~[and]~~ podiatry,
2-32 and chiropractic, or doctors of medicine, osteopathy, and optometry
2-33 or therapeutic optometry, or mental health professionals form a
2-34 professional entity as provided by Subsections (a), (b), and (c),
2-35 the authority of each of the practitioners is limited by the scope
2-36 of practice of the respective practitioners and none can exercise
2-37 control over the other's clinical authority granted by their
2-38 respective licenses, either through agreements, bylaws,
2-39 directives, financial incentives, or other arrangements that would
2-40 assert control over treatment decisions made by the practitioner.

2-41 SECTION 4. This Act takes effect immediately if it receives
2-42 a vote of two-thirds of all the members elected to each house, as
2-43 provided by Section 39, Article III, Texas Constitution. If this
2-44 Act does not receive the vote necessary for immediate effect, this
2-45 Act takes effect September 1, 2017.

2-46 * * * * *